

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Gerling & Associates, Inc., :
Plaintiff : Case No. 2:10-cv-01074
v. :
Gearhouse Broadcast Pty Ltd., : Magistrate Judge Abel
Defendant :

ORDER

This matter is before the Court on the parties' objections to the trial testimony of James Kevin Humphrey (docs. 77 & 79).

Page:Line(s)	Argument of the Parties	Court's Ruling
30:14-20	Plaintiff argues that the question is leading.	The question accurately restated Humphrey's testimony. Tr. 27:15 - 28:2. The question was not impermissibly leading. Objection overruled.
51:15-22	Plaintiff argues that the question is leading.	The question accurately restated Humphrey's testimony. Tr. 11:1-9; 27:4-14. The question was not impermissibly leading. Objection overruled.
32:25-33:2	Defendant objects to the use of Exhibit 1 because it is an incomplete document.	The objection is overruled subject to Gearhouse Broadcast Pty Ltd.'s right to renew the objection at trial if it believes that the exhibit is materially incomplete or that the document cannot be authenticated.

42:20, 43:2	Defendant maintains that Mr. Humphrey has no personal knowledge regarding the actions of John Fisher.	The objection is sustained. Mr. Humphrey has no personal knowledge regarding the actions of John Fisher at Gerling & Associates, Inc.'s facility. Both the questions and testimony responding to them at Tr. 42:20 through 43:2 are stricken.
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s/Mark R. Abel
United States Magistrate Judge